

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**
Plaintiff,

v.

TRIPLE-S VIDA, INC. ET AL.,
Defendants.

CIV. NO. 21-1463 (FAB)(MDM)

MEMORANDUM ORDER

Plaintiff the Equal Employment Opportunity Commission (“EEOC”) filed a Motion to Strike Triple-S Vida, Inc. (“TSV”) and Triple-S Management, Corp.’s (“TSM”) (hereinafter together the “defendants”) Exhibit No. 8 (Docket No. 243-16, 243-17) from their Motion for Summary Judgment (Docket No. 243), in addition to any and all factual assertions raised in their proposed statement of facts (Docket No. 243-1), which rely on said Exhibit, as well as the facts raised in paragraphs 39, 40, 42, 46, and 50. The EEOC claims that defendants’ use of Exhibit 8 and the abovementioned factual assertions regarding Ms. Gonzalez’ qualifications and applications to certain positions within the Triple-S Group of affiliates violates the Court’s Order imposing sanctions on the defendants at Docket No. 219. For the same reasons, the EEOC also moves to strike certain portions of the affidavit of Mayra Santiago López (Docket No. 243-126) submitted by the defendants.

Pursuant to the Court’s sanctions Order at Docket No. 219, “defendants TSV and TSM are precluded from arguing, stating, or inferring that claimant Ivelisse González did not apply to the nine (9) positions referenced in the discovery requests; that the nine (9) positions

referenced in the discovery requests were not vacant; or that claimant González was not qualified for any of the nine (9) positions referenced in the discovery requests.” As a result, defendants cannot dispute that between November 2018 and November 2020, González applied to nine (9) positions within the Triple-S Group, namely, Enrollment Representative (Triple-S Salud), Claims Service Representative (Triple-S Propiedad), Investigation Officer (TSV), General Office Clerk (Triple-S Insurance Agency), Customer Service Representative (Debit) (TSV), Administrative Support Clerk (TSV), Claims Examiner (TSV), Administrative Assistant (Triple-S Salud), and Revenue Cycle Clerk (Triple-S Salus). Similarly, defendants cannot dispute that these nine (9) positions were vacant when Ms. González applied to them, nor can the defendants dispute that she was qualified for all nine (9) positions.

Accordingly, as to these nine (9) positions, it is undisputed that they were vacant, that Ms. González was qualified for the positions, and that she applied to them. Any argument or factual assertion made by the defendants in support of their Motion for Summary Judgment or in their subsequent pleadings regarding whether Ms. González applied to the above nine (9) positions, whether they were vacant, or whether she was qualified for said positions, will not be considered by the undersigned and/or will be deemed as stricken for being in direct violation of the Court’s sanctions Order at Docket No. 219.

Accordingly, the Court **GRANTS** the EEOC’s Motion to Strike at Docket No. 255.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 30th day of September 2024.

s/ Marshal D. Morgan
MARSHAL D. MORGAN
UNITED STATES MAGISTRATE JUDGE